



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

Solicitor Licensing Information

Chapter 31 of Fairfax County Code requires that peddlers and vendors selling goods or services door-to-door or from a temporary location in Fairfax County obtain a Solicitors License. Solicitors Licenses are issued by Department of Cable and Consumer Services, Regulation and Licensing Branch.

Who needs a Solicitors License?

Any individual who sells goods or services door-to-door or from a temporary location in Fairfax County is required to have a Solicitors License. Solicitors may sell goods including, but not limited to, books, magazine subscriptions, flowers, firewood, coupon books, frozen meat, ice cream, or ready-to-eat hot foods. They may also offer services such as tree work, driveway sealing, high-speed internet and cable service, free estimates for home improvements, or home security alarm systems.

Soliciting without a license is a criminal offense and violators of Chapter 31 may be charged with a Class 2 Misdemeanor.

Chapter 31 excludes solicitors selling certain products from the license requirement. Solicitors who offer only the following goods or services do not need a license to solicit in Fairfax County:

- Fresh farm food products, including produce and dairy products
- Newspapers and newspaper subscriptions
- Real estate or insurance, when the individual is licensed under Title 38.2 or 54.1 of the Code of Virginia

How to Apply

All license applicants must appear in person at 12000 Government Center Parkway, Suite 127, Fairfax VA 22035 to apply. Applications are accepted Monday - Friday, 8:00am to 4:00pm, excluding holidays.

The following are required to apply for a Solicitor License:

1. Completed application and Release of Personal Information form; signed and notarized.
Notary services are provided during the application process at no charge to applicants.

Department of Cable and Consumer Services
Regulation and Licensing Branch
12000 Government Center Parkway, Suite 127
Fairfax, Virginia 22035
Phone: 703-324-5966 Fax 703-449-8659 TTY 711
www.fairfaxcounty.gov

2. Two forms of identification, one of which must be valid, unexpired government-issued picture ID.
3. Applicants who were born outside of the United States must provide valid, unexpired proof of employment authorization such as a Permanent Resident Card, Employment Authorization Card, or proof of U.S. citizenship.
4. Applicants who live or have lived outside of Virginia in the past 12 months must provide a state background check from their state of residence (other than Virginia), normally available through state police.
5. Payment of \$35.00 (\$20 for permit, \$15 for Virginia State Police background check) made payable to County of Fairfax. Virginia State Police background checks are ordered by Regulation and Licensing Branch for all applicants, regardless of resident jurisdiction.

Food Vendors

Food vendors, such as food truck employees, are required to have a Solicitors License. Additional information is required for food vendors, including a Certified Food Manager card, Fairfax County Health Department food establishment permit, and approval of the location where food will be sold.

Security Alarm Sales Representatives

Solicitors who sell security alarms door-to-door are required to have a Solicitors License, and are required to present a valid registration card issued by Virginia Department of Criminal Justice Services (DCJS) as an Electronic Security Sales Representative when applying for a Solicitors License.

If you have questions or need additional information, please contact the Regulation and Licensing Branch at 703-324-5966 or 703-324-5943, or by email at DCCS-RALB@fairfaxcounty.gov.



License Number: _____

Fairfax County
Department of Cable and Consumer Services
Regulation and Licensing Branch

12000 Government Center Parkway, Suite 127
Fairfax, Virginia 22035-0047
Telephone 703-324-5966 Fax 703-449-8659 TTY 711

License Application

PERSONAL INFORMATION													
Name (First, Middle, Last)				<input type="checkbox"/> Married <input type="checkbox"/> Single		Phone		Date of Birth		Country of Birth			
Address (Street)			City		State	Zip Code		Sex <input type="checkbox"/> F <input type="checkbox"/> M	Height	Weight	Eyes	Hair	Race
Social Security Number		Driver's License Number			Have you ever had your Driver's License revoked? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, explain:								
Have you ever been known by any other name or had your name legally changed? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, explain:								Email address:					
CRIMINAL CONVICTIONS (All convictions since age 18)						TRAFFIC OFFENSES (All offenses since 18 or last two years)							
<input type="checkbox"/> None <input type="checkbox"/> Yes If yes, list below:						<input type="checkbox"/> None <input type="checkbox"/> Yes If yes, list below:							
Charge	Date	Location (City or County and State)				Charge	Date	Location (City or County and State)					
BUSINESS INFORMATION													
Company		Business Address (Street)				City		State	Zip Code	Phone			
Address You Will Work From						Are you licensed in other jurisdictions? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, where?							
Type of Merchandise Being Sold													
Have you had an application for a license or permit denied or revoked in any jurisdiction? <input type="checkbox"/> No <input type="checkbox"/> Yes If yes, explain:													
VEHICLE INFORMATION (Used for business)													
Year	Make	Model		License Plate Number			State	Owner					

Applicant's Initials: _____ Date: _____

Continue Completing Application On Page 2

FOR OFFICIAL USE ONLY							
<input type="checkbox"/> Approved		Chief		Title		Date	
<input type="checkbox"/> Disapproved				Chief, Regulation and Licensing Branch			

PERSONAL INFORMATION (Continued)

EMPLOYMENT (Past five years) Company and Address (Street)	City	State	Zip Code	From	To
PREVIOUS ADDRESSES (Past five years) Address (Street)	City	State	Zip Code	From	To

REMARKS

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PROVIDING YOUR SOCIAL SECURITY NUMBER AND DRIVER LICENSE NUMBER ON THIS FORM

Disclosure of your Social Security Number and Driver License Number on this form is voluntary. These numbers are used as a means of identification of individuals, and those numbers are used to facilitate differentiation between individuals with other similar identifying information. Social Security Account Number and Driver License Number are regarded as confidential licensing information, and except as otherwise provided by law, those numbers will not be disclosed for any other purpose. If you do not disclose a Social Security Number and/or a Driver License Number, you may encounter delays in the processing of your license or permit application and you may not receive your license or permit in a timely manner due to a delay in positive identification of your criminal record.

APPLICANT'S VALIDATION STATEMENT

The making of any false statements for the purpose of procuring a license from the Department of Cable and Consumer Services will be grounds for denial of this application and/or prosecution under applicable codes of Virginia and/or Fairfax County.

I understand the above statement and hereby certify that all statements are true to the best of my knowledge.

Applicant's Signature: _____ Date: _____

NOTARY

<p>_____</p> <p>Notary Public (Signature)</p> <p>Sworn and subscribed before me in the County/City of _____</p> <p>this _____ day of _____, _____</p> <p>_____</p> <p>Commission Expires (Date)</p>



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

AUTHORIZATION FOR RELEASE OF PERSONAL INFORMATION

I, _____, do hereby authorize a review of and full disclosure of all records, or any part thereof, concerning myself by and to Henri Stein-McCartney, a duly authorized agent of the Regulation and Licensing Branch of the Fairfax County Department of Cable and Consumer Services, whether the said records are of public, private or confidential nature.

I reiterate and emphasize that the intent of this authorization is to provide full and free access to the background and history of my personal life, for the specific purpose of pursuing a background investigation which may provide pertinent data for the Fairfax County Department of Cable and Consumer Services to consider in determining my suitability for approval or disapproval of my application for a _____ in Fairfax County.

I understand that this form request my Social Security Number (SSN) for use in conducting an investigations pursuant for Fairfax County Code. Disclosure of my SSN for use in that investigation is voluntary.

I understand that any information obtained through this release authorization will be considered in determining my suitability for approval or disapproval of my application.

Signature

Address

City & State

Date of Birth: _____

Social Security Number: _____

Sworn and Subscribed before me in the City/County of _____

This _____ day of _____ 20 _____

Notary Public (Signature)

Commission Expires

Department of Cable and Consumer Services

Regulation and Licensing Branch

12000 Government Center Parkway, Suite 127

Fairfax, Virginia 22035-0047

Phone 703-324-5966 Fax 703-449-8659 TTY 711

www.fairfaxcounty.gov



County of Fairfax, Virginia

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Applicant Confirmation Form

Applying for _____ *Hacker's License*
_____ *Solicitor's License*
_____ *Other License*

I, _____, was advised by the Henri Stein-McCartney, Regulation and Licensing Branch Chief, that if I omit or withhold any of the information requested in the arrest, traffic, and criminal section of my application, that my application for a license can be denied.

- (1) I understand that these sections include any traffic or criminal conviction in **ANY JURISDICTION** since age 18.
- (2) I understand that a traffic summons is considered an arrest.
- (3) I understand my application is an official document and that I have sworn before a notary public that the information contained in the application is true to the best of my knowledge.
- (4) I understand that falsifying this application is a criminal offense under the Fairfax County Code.

Signature

Date

Guidelines for Food Truck Vendors In Fairfax County

General Information

- VDOT regulations and Chapter 82-1-30 of County Code prohibit sales from vehicles parked along roads, highways or streets. Food trucks may not sell food while parked along any street in the County. Violators may be ticketed by Fairfax County Police Department.
- Food trucks may park on and vend from private property (office parks, shopping centers, etc.) only with permission of the property owner and approval of the location from the Department of Planning and Zoning. Food trucks may also vend in selected Fairfax County parks provided that the vendor obtains a Mobile Food Vendor Permit from the Fairfax County Park Authority.

Permits, Licenses, and Fingerprinting

Before vending in Fairfax County, food truck businesses must first obtain the necessary permits and licenses. These steps should be followed to ensure that the business has all required permits and licenses before operating in Fairfax County.

Step 1: Business, Professional, and Occupational License (BPOL)	<p>Food trucks must first obtain a Business, Professional, and Occupational License (BPOL) from the Department of Tax Administration. Applicants may apply for a business license either by mail or in person at 12000 Government Center Parkway, Suite 223, Fairfax, Virginia 22035. Additional information and application forms are available online at http://www.fairfaxcounty.gov/dta/business_newinfo.htm.</p> <p>The Department of Tax Administration requires the following information in order to obtain a business license:</p> <ol style="list-style-type: none">1. Owner name;2. Trade name;3. Business address;4. Nature (description) of business;5. Estimated first year gross receipts; and6. Business begin date.
Step 2: Health Department Permit	<p>Food trucks must obtain a Food Establishment Permit from the Fairfax County Health Department. Applications are accepted by mail or in person at 10777 Main Street, Suite 111, Fairfax, VA 22030. Contact the Food Safety Section at 703-246-2444. Applications and additional information are available online at http://www.fairfaxcounty.gov/hd/food/.</p> <p>The Food Safety Section requires the following to apply for a Food Establishment Permit for a food truck:</p> <ol style="list-style-type: none">1. A completed Food Establishment Permit application;2. Plans and specifications for the food truck;3. A current list of all individuals who will work on the food truck and proof of a Certified Food Manager Card for each person;4. A current business license;5. Inspection of food truck (mobile food unit) scheduled or completed; and6. Application fee of \$40.

Guidelines for Food Truck Vendors In Fairfax County

<p>Step 3: Zoning Approval</p>	<p>Approval from the Department of Planning and Zoning, Zoning Administration Division is required for the specific location(s) from which a food truck will operate. Applicants should contact the Zoning Administration Division at 703-324-1314 for more information. They are located at 12055 Government Center Parkway, Suite 807, Fairfax, Virginia 22035-5505.</p> <p>Zoning Administration Division requires a letter of authorization from the owner of private property where the truck intends to operate, a site plan showing the location on the property where the truck intends to park, and the proposed hours of operation, which may not exceed 3 hours. Each submission will be reviewed to determine if the food truck can be approved as an Accessory Use on the property. Such approval will be granted to the property owner through the issuance of a Non-Residential Use Permit.</p>
<p>Step 4: Park Authority Mobile Food Vendor Permit (optional)</p>	<p>Park Authority allows selected food trucks to work in designated Fairfax County parks provided the truck has been issued a Mobile Food Vendor Permit. To apply, contact Park Authority, Park Services Division - Mobile Food Vending located at 12055 Government Center Parkway, Suite 927, Fairfax, VA 22035. Additional information and the application can be found online at http://www.fairfaxcounty.gov/parks/mobile-vending.htm. Permits are awarded on a competitive basis. Applicants are not guaranteed that they will be awarded a permit.</p> <p>Park Authority requires the following to apply for a Mobile Food Vendor Permit:</p> <ol style="list-style-type: none"> 1. BPOL License from Department of Tax Administration; 2. Food Establishment Permit from Health Department; and 3. Application fee of \$150.
<p>Step 4: Solicitors License</p>	<p>Food truck employees must obtain a Solicitors License from Department of Cable and Consumer Services, Regulation and Licensing Branch located at 12000 Government Center Parkway, Suite 127, Fairfax VA 22035.</p> <p>Regulation and Licensing Branch requires the following from food truck employees to apply for a solicitor's license:</p> <ol style="list-style-type: none"> 1. Completed application; 1. Two forms of valid identification; 2. Proof of US citizenship, Limited Permanent Resident or Employment Authorization Card; 3. BPOL License from Department of Tax Administration; 4. Food Establishment Permit from Health Department; 5. Documentation from Department of Planning and Zoning showing approval of the location(s) where the truck will vend <u>or</u> Fairfax County Park Authority Mobile Food Vendor Permit approval; and 6. Certified Food Manager card; and 7. Application fee of \$35.
<p>Step 4: Fingerprints</p>	<p>First-time solicitor license applicants must be fingerprinted by Fairfax County Police Department. Regulation and Licensing Branch will provide a fingerprint card and further instructions to new applicants. Fingerprinting is performed by the Fairfax County Police Department, Central Records Section located at 10600 Page Avenue, Fairfax, Virginia 22030. The office is open Monday - Friday, 8 a.m. to 4 p.m. The office closes at 3 p.m. on the first and third Wednesdays of every month. Two forms of identification are required. Please call 703-246-2272 for more information, or visit their site online at http://www.fairfaxcounty.gov/police/services/records-check.htm.</p>

Chapter 31 – Peddlers, Solicitors and Canvassers

**CODE
County of
FAIRFAX, VIRGINIA**

**Codified through
Ord. No. 20-06-41.1, adopted June 26, 2006.
(Supplement No. 104, 6-06)**

Preliminaries

**THE CODE
OF THE
COUNTY OF FAIRFAX
VIRGINIA
1976**

THE GENERAL ORDINANCES OF THE COUNTY

REPLACEMENT VOLUME INCLUDING
SUPPLEMENT NO. 41, 8-89
PUBLISHED BY ORDER OF THE
BOARD OF SUPERVISORS

ORIGINALLY PUBLISHED BY
NIMLO
Washington, D.C.
1976

COMMENCING WITH SUPPLEMENT NO. 1, 12-77
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Published by Municipal Code Corporation
Tallahassee, Florida 1989

CHAPTER 31 Peddlers, Solicitors and Canvassers.1

Article 1. In General.

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1. Editor's note--Chapter 31 has been extensively revised by Ord. No. 22-84-31 adopted July 30, 1984. In some cases, completely new provisions have been added. These provisions will be self-evident as they will carry reference only to Ord. No. 22-84-31 in their history notes. In other cases, existing provisions have been essentially retained but have been renumbered. In those cases, the complete legislative history has been retained, with an accompanying note giving the former section number.

Article 1. In General.

Section 31-1-1. Definitions; exceptions.

(a) For the purposes of this Chapter, unless a different meaning is required by the context, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Canvasser means any person who engages in opinion-sampling, poll-taking or other similar activity from house to house, door to door, street to street, or from place to place, in person, for compensation, or who is directed or supervised by a person who is compensated.

Director means the Director of the Department of Consumer Affairs of Fairfax County or his agent or designee.

Commission means the Consumer Protection Commission of Fairfax County, Virginia.

County means the County of Fairfax, Virginia.

Itinerant merchant means any person who engages in, does, or transacts any temporary or transient business and who, for the purpose of carrying on such business, occupies any location for a period of less than one (1) year.

Peddle means to operate from a temporary stand, display or similar facility or to travel from house to house, door to door, street to street or from place to place, carrying, conveying, or transporting goods, wares, or merchandise for the purpose of offering and exposing the same for sale, whether or not responding to appointments by telephone, telegraph, correspondence or other means of communication; provided, that to solicit orders and as a separate transaction, make deliveries to purchasers as a part of the scheme or design to evade the provisions of this Section shall be deemed peddling.

Peddler means a person who peddles for himself or any other person.

Person means any individual, organization, trust, foundation, association, partnership, corporation, society or other group or combination acting as a unit.

Promoter means a person who sponsors an arts and crafts show where more than four (4) individual peddlers, itinerant merchants or solicitors offer arts and crafts goods for sale to the general public.

Sale, sell and sold mean the transfer of any property or the rendition of any service to any person in exchange for consideration, including any purported contribution without which such property would not have been transferred or such services would not have been rendered.

Solicit and solicitation mean to operate from a temporary stand, display or similar facility, or to travel from house to house, door to door, street to street, or from place to place taking or attempting to take orders for sale of goods, wares or merchandise, subscriptions, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not responding to appointments prearranged by telephone, telegraph, correspondence or other means of communication. To hire, lease, use or occupy any building or structure, lodging house, apartment, shop or any other place within the County for the sole purpose of exhibiting samples and taking orders for future delivery.

Solicitor means a person who solicits for himself or any other person.

(b) Exceptions.

The terms "canvasser," "peddler," or "solicitor" as used in this Chapter do not include:

Persons who as wholesalers or distributors solicit orders from or sell to retail dealers in the County or who sell goods or services to be used in manufacturing or other commercial purposes;

Persons selling, offering for sale, or soliciting orders for fresh farm food products, including but not limited to, vegetables and dairy products;

Persons selling, offering for sale, or soliciting orders for newspapers;

Persons licensed by the Commonwealth of Virginia pursuant to Title 38.2 (Insurance) of the *Code of Virginia* or pursuant to Chapter 21 of Title 54.1 (Professions and Occupations) of the *Code of Virginia* ; or

Persons licensed by the County pursuant to Chapter 34 (Charitable Solicitations) of the County Code or exempt from such licensing for pertinent reasons set forth in that Chapter. (2-18-70; 5-22-72; 1961 Code, § 18-1; 16-76-31; 13-77-31; 22-84-31; 10-93-31, § 1.)

Section 31-1-2. Prohibited acts.

(a) It shall be unlawful for any canvasser, peddler, or solicitor to ring the bell, or knock on the door, or otherwise attempt to gain admittance for the purpose of canvassing, peddling or soliciting at any residence, dwelling or apartment at which a sign bearing the words "No Peddlers or Solicitors" or words of similar import indicating that such persons are not wanted on said premises, is painted, affixed or otherwise exposed to public view.

(b) It shall be unlawful for any canvasser, peddler, or solicitor, to canvass, peddle, or solicit except between the hours of 9:00 A.M. and 8:00 P.M.

(c) It shall be unlawful for any canvasser, peddler, or solicitor to fail to disclose to the prospective buyer, upon request, his name and the name of the company, product or organization he represents, and if requested so to do, to leave the premises immediately.

(d) It shall be unlawful for any canvasser, peddler, or solicitor to make any assertion, representation or statement of fact which misrepresents the purpose of his call, or use any plan, scheme, or ruse which misrepresents such purpose.

(e) It shall be unlawful for any peddler or solicitor to fail to provide, at the request of the purchaser, a written receipt, which receipt shall be signed by the person making the sale and shall set forth a brief description of the goods or services sold, the total purchase price thereof, amount of cash payment, if any, and the balance due and terms of payment.

(f) It shall be unlawful for any person licensed pursuant to this Chapter to use or exploit the fact of being licensed so as to lead the public to believe that such registration in any manner constitutes an endorsement or approval by this County; provided, however, that the use of the following statement shall not be deemed a prohibited exploitation: "Licensed by the Director of the Fairfax County Department of Consumer Affairs as required by law. Licensing does not imply endorsement by Fairfax County."

(g) It shall be unlawful for any canvasser, peddler, or solicitor to give false or incorrect information to the Director in filing statements or reports required by this Chapter.

(h) It shall be unlawful for any person who is licensed as a promoter of an arts and crafts show pursuant to this Chapter to fail to submit a roster of all peddlers, itinerant merchants, or solicitors who are expected to participate in any arts and crafts show being sponsored by that person to the Director no less than three (3) days prior to conducting any such show. That roster also shall indicate the time and place of the expected show.

(i) It shall be unlawful for any person who is licensed as a promoter of an arts and crafts show pursuant to this Chapter to fail to keep at the site of an arts and crafts show a current roster of all peddlers, itinerant merchants, or solicitors participating in any

ongoing arts and crafts show being sponsored by that person, and it shall be unlawful to fail to show such roster upon request to the Director or to any law enforcement official.

(j) It shall be unlawful for any such promoter to fail to file with the Director a complete roster of all such participants within seven (7) days after the completion of any arts and crafts show sponsored by the promoter within the County. All such rosters shall record the time and location of the event, and such rosters shall identify the full name, address, telephone number and nature of business for each participant. (16-76-31; 43-81-31; 22-84-31; 10-93-31, § 1.)

Section 31-1-3. Information filed to become public records.2

2. Note--Formerly, § 31-1-4.

Reports, and all other documents and information required to be filed under this Chapter shall become public records to be kept in the office of the Director and shall be open to the general public for inspection at such time and under such conditions as the Director may prescribe. A charge not exceeding One Dollar (\$1.00) per page may be made for any copy of such documents as may be furnished any person by the Director. (16-76-31; 43-81-31; 22-84-31.)

Section 31-1-4. Penalties.3.

3. Note--Formerly, § 31-1-7.

Any person who violates or causes to be violated any provision of this Chapter shall be guilty of a Class 2 misdemeanor. (37-74-18; 1961 Code, §§ 18-1.1, 18-1.2; 16-76-31; 22-84-31; 10-93-31, § 1.)

Article 2. Licenses.

Section 31-2-1. Licenses required; surrender of revoked or suspended licenses.

It shall be unlawful for any canvasser, peddler, or solicitor to engage in such business or act within the meaning and application of this Chapter within the County without first obtaining a license therefor in compliance with the provisions of this Article. However, a person may obtain a promoter's license in accordance with the provisions set forth in Section 31-2-4 to sponsor an arts and crafts show where peddlers, itinerant merchants, or solicitors may engage in business without obtaining separate licenses for each peddler, itinerant merchant, or solicitor who participates in that show. Any license issued pursuant to this Chapter shall remain the property of Fairfax County, Virginia, and upon written notification from the Director, any person who has been issued a license which has been suspended or revoked shall surrender and return that license to the Department. (2-18-70; 1961 Code, § 18-3; 16-73-31; 22-84-31; 10-93-31, § 1.)

Section 31-2-2. Copy of license to be provided.4

4. Note--Formerly, § 31-1-4.

It shall be unlawful for any person required to be licensed by this Chapter to refuse to exhibit to a prospective purchaser, to the Director or to a police officer, that license after being requested to do so. It shall be unlawful for any person who has been licensed as a promoter of arts and craft shows to refuse to exhibit to an arts and craft show participant, the Director or a police officer that license after being requested to do so. (2-18-70; 1961 Code, § 18-10; 16-76-31; 22-84-31; 10-93-31, § 1.)

Section 31-2-3. Identification on vehicles; business sign.

(a) Every vehicle used by a peddler or solicitor in the conduct of his business shall have conspicuously displayed thereon, in letters and numerals not less than three (3) inches high, the name and business address of the person, firm or corporation using such vehicle.

(b) Every peddler or solicitor conducting business from a temporary stand shall have conspicuously displayed a sign identifying the business by name and address, with letters and numerals not less than three (3) inches high and with a total dimension not greater than twelve (12) square feet. (22-84-31.)

Section 31-2-4. Application for license.⁵

5. Note--Formerly, § 31-2-5.

(a) Except as otherwise provided in Paragraph (b) of this Section, all applications for licenses and renewals thereof required by this Chapter shall be made in person, on forms provided by the Director. Each applicant, if an individual, shall be required to be fingerprinted and photographed by the County. The applicant shall provide the following information, if applicable, under oath:

(1) Pertinent personal data requested, including name, business address and home address. The applicant must corroborate this information by producing some form of identification, with photograph, issued by a government agency and at least one (1) other means of identification.

(2) Description of applicant's physical condition.

(3) If employed, the name and address of the employer, together with credentials establishing the exact relationship.

(4) A brief description of the nature of the business and the goods to be sold or services to be performed.

(5) The applicant's criminal record.

(6) The approximate length of time the applicant intends to do business in the County.

(7) If a vehicle is to be used, a description of the same, together with the registration and license number, or other means of identification.

(8) The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced; where such goods or products are located at the time such application is filed; and the proposed method of delivery.

(9) The names of at least two (2) persons who will certify as to the applicant's good character and business responsibility, or in lieu of the names of references, such other available evidence as will enable the Director to evaluate properly such character and responsibility.

(10) Any other permits or licenses required under other applicable County or state laws or regulations to enable the applicant to peddle or solicit in the manner or location indicated [in] his or her application, specifically including, for example, any special permits or non-residential use permits required by the Zoning Ordinance (Chapter 112 of the County Code).

(b) In addition to the requirements and the information required by Paragraph (a) of this Section, on application for a promoter's license, the applicant shall file a statement with the Director agreeing to provide the information specified in Section 31-1-2 and to maintain records of all such shows for a period of at least two (2) years showing the day, time, and location and the participants, identified as specified in Section 31-1-2, for each and every arts and craft show sponsored by that person. (2-18-70; 1961 Code, § 18-4; 16-76-31; 43-81-31; 22-84-31; 10-93-31, § 1.)

Section 31-2-5. Fee.6

6. Note--Formerly, § 31-2-6.

Every applicant for a license pursuant to this Chapter shall first pay the Director the sum of Twenty Dollars (\$20.00) to cover processing and the costs of administration prescribed by this Article. This fee shall not be refunded to the applicant in the event that a license is refused or revoked. (2-18-70; 1961 Code, § 18-5; 16-76-31; 22-84-31; 10-93-31, § 1.)

Section 31-2-6. Bond required.7

7. Note--Formerly, § 31-2-7.

Repealed by 10-93-31, § 2.

Section 31-2-7. Investigation of applicant.8

8. Note--Formerly, § 31-2-8.

The Director shall have an investigation made of the applicant. A confidential record of the investigation shall be kept on file by the Director and be made available to the Commission if necessary to the Commission's consideration of an appeal of a denial of a license or renewal thereof. Such record shall also be made available to the applicant upon his request. (2-18-70; 1961 Code, § 18-6; 16-76-31; 43-81-31; 22-84-31.)

Section 31-2-8. Issuance and denial.9

9. Note--Formerly, § 31-2-9.

(a) Except for any action taken pursuant to Paragraphs (b) and (c) of this Section, the Director shall issue the applicant a license within sixty (60) days following the date of the filing of a license application.

(b) The Director may, after investigation and finding that the health, safety and welfare of the public so demand, refuse to issue a license to an applicant for reasons including, but not limited to, the following:

(1) Conviction of any felony within the five (5) years immediately preceding the date of filing of the application.

(2) Conviction of any crime within the five (5) years immediately preceding the date of filing of the application, involving a crime against a person or involving moral turpitude, including, but not limited to, violation of any law regulating sexual conduct or the production, sale, possession or use of narcotics.

(3) Fraud, misrepresentation or intentional false statement of material or relevant facts contained in the application or previous denial or revocation of any license as provided by Section 31-2-15.

(4) The applicant does not have other necessary permits or licenses required to peddle or solicit in the manner or location indicated in his or her application or is prohibited under other applicable laws or regulations from conducting his or her business in such a manner or location.

(c) An applicant for a license may be issued a temporary permit after filing the application based upon a preliminary investigation by the Director, which permit shall remain in effect until the issuance, or denial, of a license as herein provided.

(d) In the event the Director denies a license, he shall notify the applicant, in writing, within ten (10) days of the denial of the license. Such notification shall be sent by certified mail. The applicant may appeal therefrom as provided for in Section 31-2-14. (2-18-70; 1961 Code, § 18-7; 16-76-31; 43-81-31; 22-84-31; 10-93-31, § 1.)

Section 31-2-9. Contents of license.10

10. Note--Formerly, § 31-2-10.

Such license shall contain the following information:a license number, name of the applicant, photograph and thumbprint of applicant, if an individual; the kind of goods to be sold, services performed, or kind of canvassing to be conducted; name of employer, if any; date of issuance and expiration; signature of the Director; and such other information as the Director deems appropriate. (2-18-70; 1961 Code, § 18-8; 16-76-31; 43-81-31; 22-84-31.)

Section 31-2-10. Duration of license; non-transferable.11

11. Note--Formerly, § 31-2-11.

Except for temporary licenses issued pursuant to Section 31-2-8, all licenses issued pursuant to this Article shall be valid for a period of one (1) year from the date of issuance. No license shall be transferable. A license shall become void at such time as a licensee hereunder changes (i) the licensee's employer, if not self-employed, (ii) the kinds of goods to be sold, (iii) the type of services to be performed, or (iv) the kind of canvassing to be conducted. (2-18-70; 1961 Code, § 18-9; 16-76-31; 10-93-31, § 1.)

Section 31-2-11. Suspension of license.¹²

12. Note--Formerly, § 31-2-12.

Any license issued under this Article may be suspended by the Director, without notice or hearing, for a period of up to ten (10) days for any of the reasons for which a license could be denied under Section 31-2-9 or for any violation of any provision of this Chapter. Such suspension may be extended beyond the initial period until the charge(s) upon which it is grounded have been disposed of; provided, that the licensee shall be so notified in writing within the initial ten-day period of suspension. (2-18-70; 1961 Code, § 18-12; 16-76-31; 43-81-31; 22-84-31; 10-93-31, § 1.)

Section 31-2-12. Revocation of license.¹³

13. Note--Formerly, § 31-2-13.

(a) Any license issued under the provisions of this Article may be revoked by the Director after first giving seven (7) days' written notice to the licensee stating the reasons therefor, which may include, but shall not be limited to, the following:

- (1) Any of the reasons for which a license can be denied under Section 31-2-8.
 - (2) Cancellation or termination of the bond required in Section 31-2-6.
 - (3) Conduct of the business or activity for which the license was issued in an unlawful manner or in such manner as to constitute a breach of the peace or a danger to the health, safety, and welfare of the public, including but not limited to, the following:
 - (A) Use of a threat, expressed or implied, or of coercion as inducement to make a sale; or
 - (B) Refusal to discontinue efforts to make a sale when specifically requested to do so by the prospective purchaser.
 - (4) Violating any provision of this Chapter.
 - (5) Violating any provision of the Virginia Home Solicitation Sales Act (*Code of Virginia* , Chapter 2.1 of Title 59.1), the Virginia Consumer Protection Act (*Code of Virginia* , Chapter 17 of Title 59.1) or any other applicable consumer protection measures which are pertinent to the conduct of the licensed business activity.
- (b) Notice of revocation shall be sent by certified mail to the licensee at the business address appearing on the license application; or if there be none, to the residence address appearing thereon. The licensee may file an appeal therefrom in accordance with Section 31-2-14.

(c) The Director shall keep a permanent record of all licenses revoked. (2-18-70; 1961 Code, § 18-11; 16-76-31; 43-81-31; 22-84-31.)

Section 31-2-13. Consumer Protection Commission duties and hearings.14

14. Note--Formerly, § 31-2-14.

It is hereby established that the Commission shall, in addition to the performance of such other duties and responsibilities as may be imposed upon it, consider and act upon appeals from action of the Director, in the manner more specifically set forth hereinafter. (2-18-70; 1961 Code, § 18-13; 16-76-31; 13-77-31; 22-84-31.)

Section 31-2-14. Appeals.15

15. Note--Formerly, § 31-2-15.

(a) *From Decisions of the Director.*

(1) *Right of appeal.* If the Director denies, suspends or revokes any license, any person affected thereby may appeal such decision to the Commission.

(2) *Procedure.* The appellant or his attorney may file in the office of the Director a written notice of appeal signed by the appellant or his attorney requesting a hearing and setting forth a brief statement of the reasons therefor. Such appeal shall be filed within thirty (30) days of receipt of the notice of denial, suspension or revocation.

(A) Upon receipt of such notice of appeal, the Director shall forthwith notify the Commission. The Commission shall set a time and place for such hearing which shall be scheduled within forty-five (45) days of receipt of the request therefor and shall mail written notice thereof to the appellant or his attorney no less than seven (7) days prior thereto.

(B) Hearings of the Commission pursuant to this Chapter shall be open to the public and shall be, insofar as is reasonably practicable, informal and free of technical rules of law or evidence. Appellants shall be entitled to be heard in person and/or by counsel, and shall be entitled to provide for the transcribing of the proceedings in any manner which will not impede the orderly conduct of a hearing of the proceedings. Appellants may also call such witnesses as are deemed necessary.

(i) The Commission shall hear the matter de novo, and shall consider the evidence presented to it, including any statements offered by interested parties.

(ii) The Commission may establish such additional rules of procedure for the conduct of its hearings as may be consistent with the provisions of this Chapter.

(C) Decisions of the Commission shall be reduced to writing, and rendered within thirty (30) days of concluding the hearing. A copy thereof shall be furnished to appellant or his attorney.

(D) If the Commission affirms the decision of the Director to deny, suspend or revoke a license, the denial, suspension or revocation shall be effective from the date of the Commission's order, except as hereinafter provided in this Section.

(E) If the Commission reverses the decision of the Director, the Commission shall direct the Director to issue or restore the license in accordance with its orders.

(3) *Effect of appeal.* The appeal of the decision to revoke a license under Section 31-2-12 shall stay the effective date of the revocation.

(b) *From Decisions of the Commission.* The decisions of the Commission shall in all cases be final, except that any appellant may, within thirty (30) days after the rendering of such decision pursue any other legal remedy available to him under Federal or State Law. (2-18-70; 1961 Code, § 18-14; 16-76-31; 13-77-31; 43-81-31; 22-84-31.)

Section 31-2-15. Filing of application after denial or revocation.¹⁶

16. Note--Formerly, § 31-2-16.

No application for a license under the provisions of this Chapter shall be accepted from any person whose application for a license has been denied or whose license has been revoked for a period one (1) year from the date of such denial or revocation. (2-18-70; 1961 Code, § 18-15; 16-76-31; 13-77-31; 22-84-31.)